



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 556

Chairperson: Steve Lathrop
Committee: Business and Labor
Date of Hearing: February 23, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 556 would change provide the statutes that apply comparative fault to cases brought under section 48-118 et seq.

Under current law, if an action is brought pursuant to section 48-118 to recover from a third party, the negligence of the employer, the employee and the third party are compared by the finder of fact. This occurs even though the Nebraska Workers' Compensation act provides that the exclusive remedy against an employer is under the Act. Thus the employer may have a percentage of negligence assigned even though no action can be brought against the employer.

LB 556 would remove the employer's negligence from the assignment of negligence under comparative fault statutes.

Principal Introducer:

Senator Tom White